

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

THE HILLMAN GROUP, INC.**v.****KEYME, LLC**

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§ **Case No. 2:19-cv-00209-JRG**§ **(Lead Case)**

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§ **Case No. 2:20-cv-00070-JRG**§ **(Member Case)**

**MINUTES FOR JURY SELECTION/JURY TRIAL DAY NO. 3
HELD BEFORE U. S. DISTRICT JUDGE RODNEY GILSTRAP
April 7, 2021**

OPEN: 08:25 AM**ADJOURN: 06:10 PM**

ATTORNEYS FOR PLAINTIFF:	See attached.
ATTORNEYS FOR DEFENDANT:	See attached.
LAW CLERKS:	Lee Matalon Will Nilsson Tom Derbish
COURT REPORTER:	Shelly Holmes, CSR-TCRR
COURTROOM DEPUTY:	Andrea Brunson

<u>TIME</u>	<u>MINUTES</u>
08:25 AM	Court opened.
08:25 AM	Exhibits used prior day read into the record.
08:27 AM	Jury entered the courtroom.
08:28 AM	Direct examination of Mr. Randall Fagundo by Mr. Williamson, continued.
08:58 AM	Cross examination of Mr. Randall Fagundo by Mr. Dacus.
10:14 AM	Jury excused for morning break.
10:14 AM	Court recessed for morning break.
10:38 AM	Court reconvened.
10:39 AM	Jury entered the courtroom.
10:40 AM	Redirect examination of Mr. Randall Fagundo by Mr. Williamson.
10:52 AM	Recross examination of Mr. Randall Fagundo by Mr. Dacus.
11:00 AM	Additional redirect examination of Mr. Randall Fagundo by Mr. Williamson.
11:02 AM	Witness dismissed.
11:03 AM	Witness sworn. Direct examination of Mr. Barry Bell by Mr. Williamson.

<u>TIME</u>	<u>MINUTES</u>
11:13 AM	Courtroom sealed
11:13 AM	Direct examination of Mr. Barry Bell by Mr. Williamson, continued.
11:44 AM	Courtroom unsealed
11:44 AM	Direct examination of Mr. Barry Bell by Mr. Williamson, continued.
11:49 AM	Cross examination of Mr. Barry Bell by Mr. Nelson.
11:59 AM	Jurors excused for lunch break.
12:00 PM	Court ordered the parties to (1) meet and confer; and (2) submit and furnish to the Court an updated joint submission of proposed final jury instructions and verdict form in Word version format by 3:00 PM tomorrow. Court requested clarification from Ms. Cara Regan re: an exhibit read into the record earlier today.
12:02 PM	Court recessed for lunch break.
01:09 PM	Court reconvened.
01:10 PM	Jury returned to courtroom.
01:10 PM	Cross examination of Mr. Barry Bell by Mr. Nelson, continued.
01:52 PM	Redirect examination of Mr. Barry Bell by Mr. Williamson.
01:58 PM	Recross examination of Mr. Barry Bell by Mr. Nelson.
02:01 PM	Additional redirect examination of Mr. Barry Bell by Mr. Williamson.
02:03 PM	Witness dismissed.
02:04 PM	(Adverse) Witness sworn. Direct examination of Mr. Greg Marsh by Mr. Findlay.
02:38 PM	Jury excused for afternoon break.
02:38 PM	Court recessed for afternoon break.
03:08 PM	Court reconvened.
03:09 PM	Jury returned to courtroom.
03:10 PM	Direct examination of Mr. Greg Marsh by Mr. Findlay, continued.
03:18 PM	Cross examination of Mr. Greg Marsh by Mr. Nelson.
04:13 PM	Jury retired to jury room.
04:14 PM	Mr. Findlay presented argument re: MIL No. 10. Mr. Nelson responded on behalf of Defendant.
04:29 PM	Jury returned to courtroom.
04:30 PM	Redirect examination of Mr. Greg Marsh by Mr. Findlay.
04:35 PM	Witness dismissed.
04:35 PM	Plaintiff rests its case in chief.
04:36 PM	Witness sworn. Direct examination of Dr. Harikrishnan Unnikrishnan by Mr. Nelson.
05:03 PM	Cross examination of Dr. Harikrishnan Unnikrishnan by Mr. O'Quinn.
05:14 PM	Witness excused by the Court.
05:16 PM	Jury recessed to jury room for afternoon break.
05:17 PM	Court recessed for afternoon break.
05:32 PM	Court reconvened.
05:32 PM	Jury returned to courtroom.
05:33 PM	Mr. Dacus introduced the video deposition of Mr. Chris Lohmann.
05:40 PM	Video deposition of Mr. Chris Lohmann completed.
05:40 PM	Mr. Dacus introduced the video deposition of Mr. Scott Moore.
05:56 PM	Video deposition of Mr. Scott Moore completed.
05:57 PM	Mr. Dacus introduced the video deposition of Mr. Phillip Gerlings.

<u>TIME</u>	<u>MINUTES</u>
06:00 PM	Video deposition of Mr. Phillip Gerlings completed.
06:01 PM	Mr. Dacus introduced the video deposition of Mr. John Campbell.
06:03 PM	Video deposition of Mr. John Campbell completed.
06:03 PM	Mr. Dacus introduced the video deposition of Mr. David Scott Basham
06:06 PM	Video deposition of Mr. David Scott Basham completed.
06:06 PM	Mr. Dacus introduced the video deposition of Mr. William Robert Mutch.
06:08 PM	Video deposition of Mr. William Robert Mutch completed.
06:08 PM	Jury recessed for the day.
06:10 PM	Court adjourned for the day.